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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,867	02/23/2004	Kang Soo Seo	46500-000570/US	7081

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EXAMINER

ADEGEYE, OLUWASEUN

ART UNIT	PAPER NUMBER
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2621

MAIL DATE	DELIVERY MODE
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07/22/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/782,867	Applicant(s) SEO ET AL.	
	Examiner OLUWASEUN A. ADEGEYE	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03/23/2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 33 is/are pending in the application.
- 4a) Of the above claim(s) 4, 5, 9 - 23, 26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 3, 6 - 8, 24 - 25 and 27 - 33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02/23/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1- 3, 6 – 7, and 27 - 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nonomura et al (Us 6,574,419 B1) in view of Baldwin et al (US 6,975,363 B1) and Murase et al (US 6,424,797 b1)

As to **claim 1**, Nonomura discloses a method of reproducing still picture data and audio data from a recording medium (see column 1, lines 58 – 64), comprising:

decoding still picture data and the audio data reproduced from the recording medium based on respective, independent system times (STCs) (see column 18, lines 49 – 57. Column 18, lines 68 – 66 discloses that the STC is reset by the SCR in the first pack of each audio still video object therefore the STCs are independent).

outputting the decoded audio data based on the respective audio STC and PTSs in the audio data (see column 18, lines 49 – 57).

However Nonomura does not disclose outputting the decoded still picture data based on the respective still picture STC and presentation time stamps (PTSs) in the still picture data.

Nonomura does not disclose separate stream files one for each type of data.

Nonomura does not disclose wherein the outputting of the decoded audio data is not synchronized with the outputting of the decoded still picture data.

Baldwin discloses outputting the decoded still picture data based on the respective still picture STC and presentation time stamps (PTSs) in the still picture data (see column 3, lines 4 – 15).

Baldwin also discloses separate stream files one for the different data (see column 6, lines 1 – 9).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have added the step of outputting the decoded still picture data based on the respective still picture STC and presentation time stamps (PTSs) in the still picture data and separate stream files one for each type of data as taught by Baldwin to the apparatus of Nonomura to allow for more flexible control of the video and audio presentation speeds (see column 2, lines 47 – 49).

Nonomura in view of Baldwin does not disclose wherein the outputting of the decoded audio data is not synchronized with the outputting of the decoded still picture data.

Murase discloses wherein the outputting of the decoded audio data is not synchronized with the outputting of the decoded still picture data (see column 26, lines 49 – 59 and column 28, lines 17 - 21).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have added the step of wherein the outputting of the decoded audio data is not synchronized with the outputting of the decoded still picture data as taught by Murase to the apparatus of Nonomura in view of Baldwin to provide a method whereby reproduction path information can be appropriately presented to the user using the most recent data written to disc (see column 6, lines 21 – 25)

As to **claims 24 and 25** grounds for rejecting claim 1 apply to claims 24 and 25 in its entirety.

As to **claim 2**, Nonomura discloses the method of claim 1, further comprising:
generating a first STC for the still picture data based on the still picture data reproduced from the recording medium (see column 18, lines 58 – 67); and
generating a second STC for the audio data based on the audio data reproduced from the recording medium (see column 19, lines 6 – 12).

As to **claim 3**, Nonomura discloses the method of claim 2, wherein
the generating the first STC step generates the first STC from program clock references (PCRs) in the still picture data (see column 18, lines 58 – 67. PCR is the same as SCR); and

the generating the second STC step generates the second STC from PCRs in the audio data (see column 19, lines 6 – 12).

As to **claims 6 and 7**, grounds for rejecting claim 1 apply to claim 6 in its entirety.

As to **claims 27 and 28**, grounds for rejecting claim 26 apply to claims 27 and 28 respectively in its entirety.

As to **claims 29 - 32**, grounds for rejecting claim 1 apply to claims 29 - 32 respectively in its entirety.

4. Claims 8 and 33 rejected under 35 U.S.C. 103(a) as being unpatentable over Nonomura in view of Baldwin and Murase as applied to claim 1 above, and further in view of Kato et al (US 2002/0164152 A1).

As to **claim 8**, Nonomura in view of Baldwin and Murase discloses the method of claim 1. However they do not disclose further comprising: reproducing at least one playlist file from the recording medium, the playlist including at least one playitem and at least one sub-playitem indicating an in-point and out-point of the stream file for reproducing the still picture data the at least one sub-playitem indicating an in-point and out-point of the second stream file fro reproducing the audio data.

Kato discloses further comprising: reproducing at least one playlist file from the recording medium, the playlist including at least one playitem and at least one sub-playitem indicating an in-point and out-point of the stream file for reproducing the still picture data the at least one sub-playitem indicating an in-point and out-point of the second stream file from reproducing the audio data (see fig. 7).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have added the playitem and the sub-playitem of Kato to the

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apparatus of Nonomura in view of Baldwin and Murase to provide a recording medium for recording whereby the contents of data recorded on the recording medium can be managed properly (see [008]).

As to **claim 33**, grounds for rejecting claim 8 apply to claim 33 in its entirety.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUWASEUN A. ADEGEYE whose telephone number is (571)270-1711. The examiner can normally be reached on Monday - Friday 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Marsha D. Banks-Harold/

Supervisory Patent Examiner, Art Unit 2621

07/16/2010

/O.A/